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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	No. CR 15-0376 WHO
	)	
Plaintiff,	)	<b>STIPULATION AND ORDER</b>
	)	<b>SETTING TRIAL DATE AND RELATED</b>
v.	)	<b>DATES</b>
	)	
HENRY LO,	)	
	)	
Defendant.	)	

1. It is hereby stipulated by and between counsel for the United States, Assistant U.S. Attorney Kyle F. Waldinger, and counsel for defendant Henry Lo, Anthony Lowenstein, that, subject to the Court's approval, this matter be scheduled for trial for March 7, 2016.

2. The parties further stipulate and agree that the Court may schedule a pretrial conference for February 22, 2016, at 2:00 p.m.

3. The parties further stipulate and agree that the parties will file any motions *in limine* by February 1, 2016, and that they will file any responses to motions *in limine* by February 11, 2016. Optional reply briefs shall be filed by February 16, 2016. The parties further stipulate and agree that they will file pretrial conference statements in accordance with Criminal Local Rule 17-1.

STIPULATION AND ORDER  
CR 15-0376 WHO

4. Finally, the parties stipulate and agree that it is appropriate to exclude time under the Speedy Trial Act between the date of the parties' next appearance – January 7, 2016 – and March 7, 2016 based on the need for defense counsel to effectively prepare the case for trial, given the press of other business and given the government's intention to seek additional charges prior to trial.

SO STIPULATED.

DATED: December \_\_, 2015

BRIAN J. STRETCH  
Acting United States Attorney

/s/  
\_\_\_\_\_  
KYLE F. WALDINGER  
Assistant United States Attorney

DATED: December \_\_, 2015

/s/  
\_\_\_\_\_  
ANTHONY LOWENSTEIN  
Counsel for the defendant  
HENRY LO

**PROPOSED ORDER**

1. Pursuant to the parties' stipulation, the Court orders this matter to be set for a jury trial on March 7, 2016.

2. The Court also orders the parties to appear on February 22, 2016, at 2:00 p.m. for a pretrial conference.

3. Motions *in limine* shall be filed by February 1, 2016. Responses to motions *in limine* shall be filed by February 11, 2016. Optional reply briefs shall be filed no later than February 16, 2016. The parties shall file a pretrial conference statement in accordance with Criminal Local Rule 17-1.

4. Based on the parties' stipulation, the Court finds that, taking into the account the public interest in the prompt disposition of criminal cases, setting the trial for March 7, 2016 is necessary for effective preparation of counsel, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). Given these circumstances, the Court finds that the ends of justice served by excluding the period from January 7, 2016 to March 7, 2016 outweigh the best interest of the public and

STIPULATION AND ORDER  
CR 15-0376 WHO

1 the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Accordingly, the Court orders that the  
2 period from January 7, 2016, to March 7, 2016, be excluded from Speedy Trial Act calculations under  
3 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

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5 IT IS SO ORDERED.

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7 DATED: December 18, 2015

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9 HON. WILLIAM H. ORRICK  
10 United States District Judge  
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